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October 18, 2012

Honorable Lois H. Goodman, U.S.M.J.
Clarkson S. Fisher Federal Courthouse, Room 7050
492 E. State Street
Trenton, New Jersey 08608

Re: Bayliss v. New Jersey State Police, et al.
Docket No.: 11-cv-0890
Our File No.: 24090-20

Dear Judge Goodman:

We represent the New Jersey State Police in the captioned matter. We are writing to the Court in order to obtain clarification with respect to a response to the defendant Wambold's amended pleading and also to obtain authority to file motions.

We object to the new pleading on a variety of grounds including, inter alia, federal abstention principles and the failure of the defendant to exhaust administrative remedies. Accordingly, we request authorization to file a motion to dismiss Wambold's pleading.

In addition, Counsel for Wambold has obtained internal State Police documents which he has used in connection with his revised pleading. We have made a number of requests for the return of these records and also requested that he advise us how they came into his possession. He has refused on both counts. As a result, we request the authority to file a motion to compel the return of the documents as well as the identity of the source of the documents.

We appreciate the court's courtesies

Respectfully,
SCHENCK, PRICE, SMITH & KING, LLP

A handwritten signature in dark ink, appearing to read "John M. Bowens", is written over a light blue horizontal line.

John M. Bowens

JMB/mor

cc: Charles J. Sciarra, Esq.
Victor DiFrancesco, Deputy Attorney General
Robert B. Woodruff, Esq.
Linda G. Harvey, Esq.
Vincent Nuzzi, Esq.